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Filing date: **01/26/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91183753
Party	Plaintiff Heaven Hill Distilleries, Inc.
Correspondence Address	Matthew A. Williams Wyatt, Tarrant & Combs, LLP 500 W Jefferson St Ste 2800 Louisville, KY 40202 UNITED STATES mwilliams@wyattfirm.com, mcapiro@wyattfirm.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Matthew A. Williams
Filer's e-mail	mwilliams@wyattfirm.com
Signature	/Matthew A. Williams/
Date	01/26/2010
Attachments	HEAVEN HILL -- HYPNOTIZER Opposition -- Notice of Reliance.pdf (10 pages) (547808 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

HEAVEN HILL DISTILLERIES, INC.,)		
)		
Opposer,)	Opposition No.	91183753
)		
v.)		
)	Serial No.	77/266,196
DIALLO YASSINN PATRICE,)	Mark:	HYPNOTIZER
)	Intl Class:	033
Respondent.)		

NOTICE OF RELIANCE

PLEASE TAKE NOTICE that the Opposer, Heaven Hill Distilleries, Inc., shall rely in this proceeding on the following U.S. Trademark Registrations:

<i>Mark</i>	<i>Registration No.</i>	<i>Goods</i>	<i>First use of mark in commerce</i>
HPNOTIQ	2,834,133	Candles, in IC 004	May 2, 2003
		Beverage glassware, in IC 021	March 23, 2003
HPNOTIQ	2,834,130	Clothing, namely shirts, in IC 025	February 7, 2003
HPNOTIQ HQOPN (& bottle design)	2,822,475	Liqueur, in IC 033	September 2001
HPNOTIQ	2,642,855	Liqueur, in IC 033	September 2001

Pursuant to 37 C.F.R. § 2.122(d)(2), attached are certified true copies of the registrations listed above, prepared and issued by the United States Patent and Trademark Office on December 28, 2009, showing both the current status of and current title to the registrations. This notice of reliance is being filed during the testimony period for the Opposer.

Respectfully submitted,



David A. Calhoun
Matthew A. Williams
WYATT, TARRANT & COMBS, LLP
500 West Jefferson Street
Suite 2800
Louisville, KY 40202-2898
502.589.5235

Counsel for Heaven Hill Distilleries, Inc.

CERTIFICATE OF SERVICE

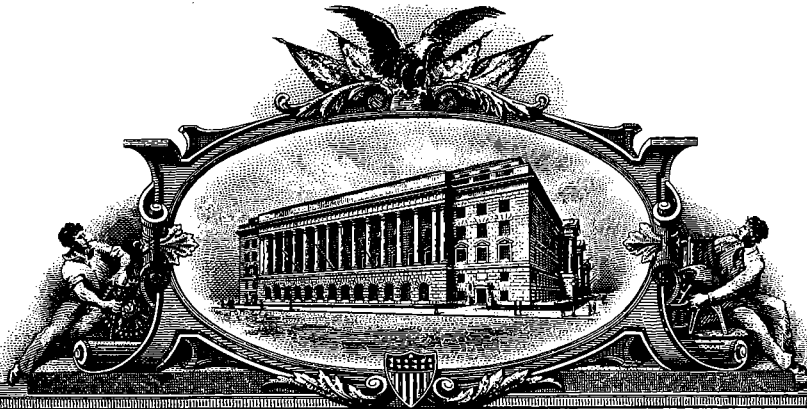
The undersigned hereby certifies that a copy of the foregoing was served upon:

Diallo Yassinn Patrice
2 Square Tribord
Courcouronnes 91080
France

via overnight courier (Federal Express Tracking No. 7983 3254 8353, this 26th day of **January**,
2010.



*One of Counsel for Heaven Hill Distilleries,
Inc.*



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

December 28, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,834,133 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 20, 2004*

SAID RECORDS SHOW TITLE TO BE IN:

Registrant

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

M. TARVER
Certifying Officer



Int. Cls.: 4 and 21

Prior U.S. Cls.: 1, 2, 6, 13, 15, 23, 29, 30, 33, 40 and 50

Reg. No. 2,834,133

United States Patent and Trademark Office

Registered Apr. 20, 2004

**TRADEMARK
PRINCIPAL REGISTER**

HPNOTIQ

HEAVEN HILL DISTILLERIES, INC. (KENTUCKY CORPORATION)
1064 LORETTO ROAD, P.O. BOX 729
BARDSTOWN, KY 40004

FOR: CANDLES, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 5-2-2003; IN COMMERCE 5-2-2003.

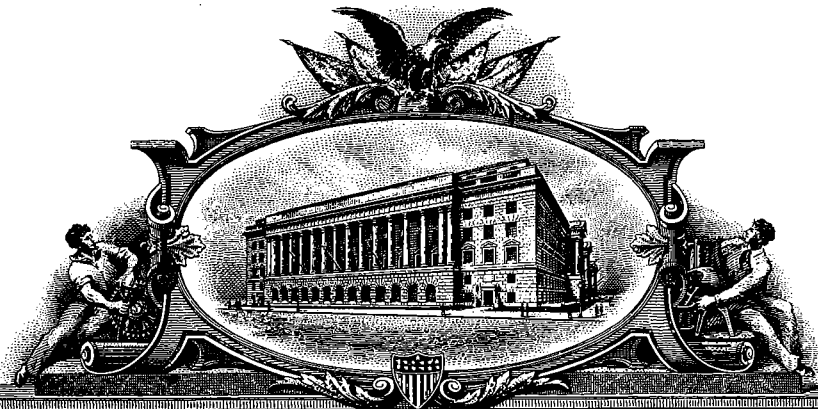
FOR: BEVERAGE GLASSWARE , IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 3-23-2003; IN COMMERCE 3-23-2003.

OWNER OF U.S. REG. NO. 2,642,855.

SER. NO. 76-519,929, FILED 5-23-2003.

CAROLINE WOOD, EXAMINING ATTORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

December 28, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,834,130 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 20, 2004*

SAID RECORDS SHOW TITLE TO BE IN:

Registrant

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

M. TARVER
Certifying Officer



Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,834,130

Registered Apr. 20, 2004

**TRADEMARK
PRINCIPAL REGISTER**

HPNOTIQ

HEAVEN HILL DISTILLERIES, INC. (KEN-
TUCKY CORPORATION)
1064 LORETTO ROAD
P.O. BOX 729
BARDSTOWN, KY 40004

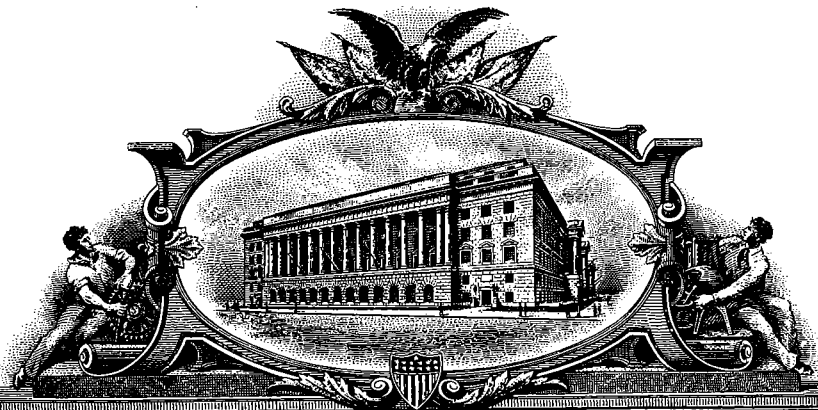
FIRST USE 2-7-2003; IN COMMERCE 2-7-2003.

OWNER OF U.S. REG. NO. 2,642,855.

SER. NO. 76-519,684, FILED 5-19-2003.

FOR: CLOTHING, NAMELY, SHIRTS, IN CLASS
25 (U.S. CLS. 22 AND 39).

CAROLINE WOOD, EXAMINING ATTORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

December 28, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,822,475 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *March 16, 2004*

SAID RECORDS SHOW TITLE TO BE IN:

HEAVEN L DISTILLERIES, INC.

A KENTUCKY CORPORATION

By Authority of the

Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

M. TARVER

Certifying Officer



Int. Cl.: 33

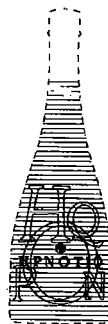
Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 2,822,475

Registered Mar. 16, 2004

**TRADEMARK
PRINCIPAL REGISTER**



HEAVEN HILL DISTILLERIES, INC. (KENTUCKY CORPORATION)
1064 LORETTO ROAD
P.O. BOX 729

BARDSTOWN, KY 40004, BY ASSIGNMENT GLOBAL PERSPECTIVES, INC. (NEW YORK CORPORATION) FOREST HILLS, NY 11375

FOR: LIQUEUR, IN CLASS 33 (U.S. CLS. 47 AND 49).

FIRST USE 9-0-2001; IN COMMERCE 9-0-2001.

OWNER OF U.S. REG. NO. 2,642,855.

THE DRAWING IS LINED FOR THE COLOR BLUE.

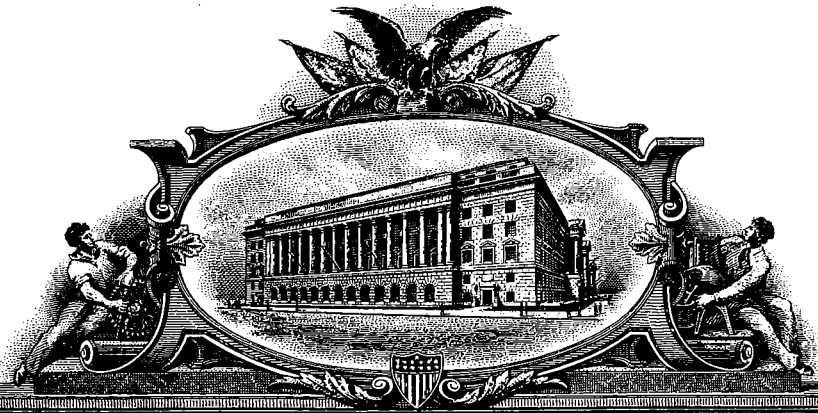
THE DOTTED LINES IN THE DRAWING INDICATE THE PLACEMENT OF THE MARK ON THE CONTAINER FOR THE GOODS.

SEC. 2(F).

SER. NO. 76-463,356, FILED 10-31-2002.

ZACHARY BELLO, EXAMINING ATTORNEY

7217892



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

December 28, 2009

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,642,855 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

REGISTERED FOR A TERM OF 10 YEARS FROM *October 29, 2002*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

HEAVEN HILL DISTILLERIES, INC.

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**

**M. TARVER
Certifying Officer**



Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 2,642,855

Registered Oct. 29, 2002

**TRADEMARK
PRINCIPAL REGISTER**

HPNOTIQ

GLOBAL PERSPECTIVES, INC. (NEW YORK
CORPORATION)
108-50 62ND DRIVE
FOREST HILLS, QUEENS, NY 11375

FIRST USE 9-0-2001; IN COMMERCE 9-0-2001.

SER. NO. 76-372,289, FILED 2-20-2002.

FOR: LIQUEUR, IN CLASS 33 (U.S. CLS. 47 AND
49).

YSA DEJESUS, EXAMINING ATTORNEY